

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALESSANDRA JULIETTA ROVITO,

Plaintiff,

v.

MATHER DEPARTMENT OF  
VETERANS AFFAIRS MEDICAL  
CENTER,

Defendant.

Case No. 2:22-cv-00529-KJM-JDP (PS)

ORDER TO SHOW CAUSE WHY THIS  
CASE SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE AND FAILURE  
TO COMPLY WITH LOCAL RULES

ECF No. 3

On March 29, 2022, defendant filed a motion to dismiss plaintiff's complaint. ECF No. 3. To date, plaintiff has not filed a response.

Under the court's local rules, a responding party is required to file an opposition or statement of non-opposition to a motion no later than fourteen days after the date it was filed. E.D. Cal. L.R. 230(c). To manage its docket effectively, the court imposes deadlines on litigants and requires litigants to meet those deadlines. The court may dismiss a case for plaintiff's failure to prosecute or failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 The court will give plaintiff an opportunity to explain why this case should not be  
2 dismissed for failure to file an opposition or statement of non-opposition to defendant's motion.  
3 Plaintiff's failure to respond to this order will constitute a failure to comply with a court order and  
4 will result in a recommendation that this action be dismissed.

5 Accordingly, it is hereby ORDERED that:

6 1. The May 5, 2022 hearing on defendant's motion to dismiss is continued to June 9,  
7 2022, at 10:00 a.m., in Courtroom No. 9.

8 2. By no later than May 19, 2022, plaintiff shall file an opposition or statement of non-  
9 opposition to defendant's motion to dismiss. *See* ECF No. 3.

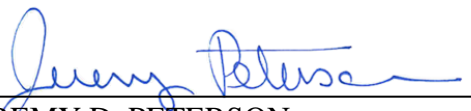
10 3. Plaintiff shall show cause, by no later than May 19, 2022, why this action should not  
11 be dismissed for failure to prosecute and failure to comply with the court's local rules.

12 4. Defendant may file a reply to plaintiff's opposition, if any, no later than June 2, 2022

13 5. Failure to comply with this order may result in a recommendation that this action be  
14 dismissed for lack of prosecution, failure to comply with court orders, and failure to comply with  
15 local rules.

16  
17 IT IS SO ORDERED.

18 Dated: May 3, 2022

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20 JEREMY D. PETERSON  
21 UNITED STATES MAGISTRATE JUDGE  
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